



Notice of Appeal From the Primary Examiner to the
Board of Patent Appeals and Interferences (37 CFR 1.191)

Date of Mailing: January 18, 2005

Page 1 of 2

In the United States Patent and Trademark Office

In re application of: James P. Elia

Docket No.: Case 1

Serial No. 09/064,000

Group No.: 1646

Filed: April 21, 1998

Examiner: Elizabeth C. Kemmerer, Ph.D.

For: METHOD FOR GROWTH OF SOFT TISSUE

RECEIVED

FEB 04 2005

Technology Center 2100

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in
an envelope addressed to MAIL STOP AF, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

JAN. 18, 2005

Michael H. White 1/18/05
Signature Date of Signature

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed October 18, 2004 finally rejecting claims 382-288.

At this time, an Answer to Applicant's November 5, 2004 Petition Under 37 C.F.R. § 1.113 to Director of Group 1600 has not been received. Such Answer may affect the Appeal; and accordingly, Applicant reserves the right to supplement the instant Notice of Appeal.

The item(s) checked below are appropriate:

1. Status of Applicant

This application is on behalf of
☒ a small entity

2. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

☒ a small entity

Notice of Appeal fee due: \$ 170.00

3. Extension of Term

a) ☐ Extension requested:

Extension (months)	Fee for small entity
one month	\$ 55.00
two months	\$ 215.00
three months	\$ 490.00
four months	\$ 765.00
five months	\$1,040.00

☐ Request Extension for _____ month(s) = Fee \$ _____

Extension fee due: \$ _____

01/28/2005 CNGUYEN 00000082 09064000 170.00 DP 01 FC:1999

Notice of Appeal From the Primary Examiner to the
Board of Patent Appeals and Interferences (37 CFR 1.191)

Date of Mailing: January 18, 2005

Page 2 of 2

- ☐ An extension for _____ months has already been secured and the fee paid; therefore \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. **Total Fee Due**

☒ The total fee due is:

☒ Notice of Appeal fee \$170.00

☐ Extension fee (if any) \$_____

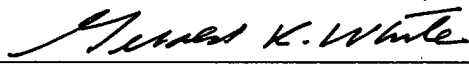
Total Fee Due: \$ 170.00

5. **Fee Payment**

☒ Attached is Check No. 811 in the sum of \$ 170.00

Date: January 18, 2005

Reg. No.: 26,611



Signature of attorney

Gerald K. White

Type or print name of attorney

GERALD K. WHITE & ASSOCIATES, P.C.
205 W. Randolph Street, Suite 835
Chicago, IL 60606
Phone: (312) 920-0588
Fax: (312) 920-0580
Email: gkwpatlaw@aol.com